

MINUTES OF REGULAR MEETING NOVEMBER 16, 2015
PLANNING AND ZONING COMMISSION

Note: These minutes, prepared to comply with Section 1-225 of the General Connecticut Statutes, is an approximate record of matters discussed and actions taken by the Commission at the meeting, but has not yet been reviewed by the commission for accuracy or completeness and is therefore subject to change or correction.

Vice Chairman, Steve Carlson, called the meeting to order at approximately 7:32 pm.

Regular Members present: Robert Maquat, Steve Carlson, Wallace Williams and Robert DeVellis

Regular Member absent: Milan Spisek

Alternate Members present: Ross Ogden and Raymond Martin

Alternate Members absent: Vincent Caprio

For the record: Ross Ogden was appointed to vote for Milan Spisek and Raymond Martin was appointed to vote for Robert Maquat until he arrived at approximately 8:00PM.

CURRENT ISSUES:

1. Subdivision Application 08-01, Subdivision Plan Prepared for Frank A. Minardi, 53 Ridgeway Road. - Request for subdivision bond release. Awaiting final report from Public Works. - The Town Engineer, Edward Nagy, was present and stated he had met with the daughter of Mr. and Mrs. Minardi prior to the meeting and had reviewed several items which need to be completed. He requested that this item be tabled until November 30, 2015.

ADMINISTRATIVE MATTERS:

2. Annual Renewal Permits to sell Christmas trees: 48 Bibbins Road (O'Kane) and 772 Morehouse Road (Sabia).
 - a. The Commission discussed the annual renewal permit application of November 1, 2015 submitted by Adele O'Kane requesting to sell Christmas trees at her property at 48 Bibbins Road. The Commission determined that based on the plot plan submitted in November 2010 and the current application submitted which states that the activities on the property will be conducted in the same manner as the prior year and that the entrance, egress and parking appear to be adequate. It was noted that the Christmas tree sales operation must comply with Sect./Para. 4.2.3 B. of the Easton Zoning Regulations and that the permit will take effect December 1 and is good for the current year only. Motion was made by Raymond Martin, seconded by Robert DeVellis, to approve the annual renewal permit. The vote was unanimous, 5-0, motion carried.
 - b. The Commission discussed the plot plan submitted in November 2010 and the current application by Michael Sabia, 772 Morehouse Road which states that the activities on the property will be conducted in the same manner as the prior year and found that the parking and reserve parking would appear to be adequate. It was noted that the Christmas tree sales operation must comply with Sect./Para. 4.2.3 B. of the Easton Zoning Regulations and that the permit will take effect December 1 and is good for the current year only. The Commission reaffirmed the safety measures recommended in the original police report of November 24, 2010 and noted that in the original approval the Commission restricted the sale of trees to daylight hours and required compliance with all zoning regulations including proper signage. Motion was made by Ross Ogden, seconded by Wallace Williams, to approve the annual renewal permit; vote was unanimous, 5-0, motion carried.

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ADMINISTRATIVE MATTERS: (continued)

1. Minutes of Meetings: October 26, 2015 and November 9, 2015
 - a. Minutes of Meetings: October 26, 2015 – Motion was made by Wallace Williams seconded by Robert DeVellis, to approve the minutes for October 26, 2015 as filed. The vote was unanimous, 5-0, motion carried.
 - b. Minutes of Meetings: November 9, 2015 – Motion was made by Robert DeVellis, seconded by Ross Ogden, to approve the minutes for November 9, 2015 as filed. The vote was unanimous, 5-0, motion carried.

CURRENT ISSUES:

1. Aspetuck Land Trust

The Vice Chairman, Steve Carlson, noted and read an e-mail from David Brant dated November 16, 2015 RE: Trout Brook Parking Update for P&Z, specifically the Jump Hill Parking Lot, and noted the attachment from All-Points Technology Project for "Trailhead Parking Area for Trout Brook".

At approximately 7:45PM motion was made by Steve Carlson, seconded by Robert DeVellis, to take a brief recess to allow the Chairman time to arrive before starting the public hearing. The vote was unanimous, 5-0, motion carried.

The Chairman arrived at approximately 8:00PM and opened the following **Public Hearing:** Scenic Road Alterations Application, SR-15-01, for Lisa F. Paulen, 10 Burr Street, to install a paved driveway and remove roadside trees, underbrush, boulders and a portion of roadside stonewall. The chairman read the legal notice of the public hearing and noted the following items for the record:

1. Memorandum dated November 16, 2015 to Planning and Zoning Commission from Bruce E. Bombero, Sr., Deputy Director of Public Works Re: 10 Burr St.
2. E-mail dated October 23, 2015 to Margaret Anania from Tree Warden, Richard J. Dina Re: Notification of the Scenic Road Alteration Application.
3. E-mail to Margaret Anania dated November 5, 2015 from Tree Warden, Richard J. Dina Re: Notification of the Scenic Road Alteration Application.
4. E-mail to Margaret Anania dated November 9, 2015 from Chief of Police, Tim Shaw Re: Comments on the Scenic Road Alterations Application for 10 Burr Street.
5. Memo dated 10/26/15 to Chief Shaw from Police Officer Kinahan Re: Proposed driveway installation at 10 Burr Street with attachments: three color pictures and a one page document from the Easton Police Department Activity Log for accidents on Burr Street.
6. Letter dated October 7, 2015 from Michael Buturla, P.E., L.S. of the Huntington Co., LLC Re: Lisa & Gene Paulen, 10 Burr Street, Scenic Road Alterations.
7. Map entitled "Improvement Location Survey Prepared For Lisa & Gene Paulen, Map/Block/Lot: 5462B/24/G, #10 Burr Street, Easton, Connecticut", dated 10-7-15, prepared by the Huntington Company, LLC.

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Public Hearing: (continued)

Edward Nagy, Town Engineer, was present and discussed the proposed project with the Commission. Mr. Nagy stated that the proposed location of the driveway was the safest and most feasible alternative.

Gene Paulen, husband of the owner/applicant, Lisa F. Paulen discussed the application with the Commission.

Abutting neighbors, Holly Hotchner and Franklin Silverstone, 18 Burr Street, spoke.

Discussion was held regarding the location of the driveway and sightlines.

Discussion was also held regarding the traffic and accidents on Burr Street.

Discussion was held regarding the trees being removed as shown on the "Improvement Location Survey". Mr. Nagy hand-corrected the "Improvement Location Survey" to show the limit of disturbance and the limit of clearing; this became Item #8.

8. Map entitled "Improvement Location Survey Prepared For Lisa & Gene Paulen, hand-corrected in blue and red to show the limit of disturbance and the limit of clearing. The Chairman marked this as the public hearing map.

Mr. Nagy clarified the trees to be removed: two 12 inch birch trees, one double oak and one 15 inch birch tree mislabeled as a maple tree.

The Chairman closed the public hearing at approximately 8:40PM. The Commission discussed the application submitted by Lisa F. Paulen, 18 Burr Street, and found that the lot requires a driveway for the new dwelling that is being constructing at 10 Burr Street and that the proposed driveway appears to be in the most feasible location due to the unique topography of the property and its location on Burr Street. The Town Scenic Road Ordinance provides for such driveway entrance " ... provided that such encroachment is constructed so as to safeguard the highway's scenic features as recorded by the Planning and Zoning Commission." (Section V G). The Commission stated that the work involved with the construction of the driveway is depicted on a map entitled "Improvement Location Survey Prepared For Lisa & Gene Paulen, Map/Block/Lot: 5462B/24/G, #10 Burr Street, Easton, Connecticut, dated October 7, 2015" Prepared by The Huntington Company, LLC and revised, by hand, in color, by the Town Engineer, Edward Nagy, P.E. to show the limit of disturbance (in blue) and the clearing area (in red). Motion was made by Robert Maquat, seconded by Steve Carlson, to recommend to the Board of Selectmen the approval of the Scenic Road Alterations Application. After discussion, Robert Maquat amended his motion, seconded by Steve Carlson, to include the work involved: the removal of the following large trees: two, 12 inch birch trees, one double oak and one 15 inch birch tree mislabeled as a maple tree; (copy of hand revised map attached). The work also includes the removal of underbrush and boulders and a section of roadside stone wall in accordance with a letter from Michael Buturla, P.E., L.S., of the Huntington Company, LLC, dated 10-7-15.

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Public Hearing: (continued)

After further discussion the motion was amended by Robert Maquat, seconded by Steve Carlson, to recommend approval subject to the following conditions:

- a) Limit stone wall removal to the length required for safe entrance and exit.
- b) The ends of the new stone wall opening shall be finished to match the character of the existing wall, and the existing gap in the wall shall be closed with the stone removed so that the stone wall construction will match the character of the existing wall.
- c) Applicant/owner shall maintain the right-of-way at the front of their property free from litter and erosion, with sight line areas properly graded and landscaped.

The vote was unanimous, 5-0, motion carried.

ADMINISTRATIVE MATTERS:

4. Correspondence: The Chairman noted that he had received from the Recording Secretary a file that shows the existence of two Group Homes in Easton: CLASP Home and the Sober House.
3. ZEO Report: The Chairman noted he had received a draft memo dated 11/12/15 regarding the rebuilding of a non-conforming structure lost to casualty at 174 Everett Road. It was noted by the ZEO Section 8.4 of the current Zoning Regulations requires that the reconstruction of non-conforming structures lost to casualty may be reconstructed only when the building permit for the work has been applied for within 2 months of the loss, started within 4 months and completed within one year. The ZEO further noted that this current regulation would not allow 174 Everett Road to reconstruct his shed as he did not file the permit within the time limits allowed. Discussion was held regarding this item. The Secretary will keep a folder of these items to give the outside consultant preparing the draft Zoning Regulations.

PLANNING MEETING:

1. Discontinuance of Old Highways
The Commission briefly discussed this item; no action taken.
2. Town Plan of Conservation and Development, 2016
Discuss schedule for policy input by Town boards, commissions and officials.
The Commission briefly discussed this item; no action taken.

CURRENT ISSUES: (continued)

2. Proposed amendment to the EASTON TOWN PLAN OF CONSERVATION AND DEVELOPMENT 2006, adopted 2007, to incorporate a report entitled "MOREHOUSE CIVIC PARK, A Master Plan, May 2015", and a map entitled Morehouse Civic Park, Proposed Master Plan, as supplements to the Town Plan.
The Commission briefly discussed this item; no action taken.

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At approximately 9:30PM, there being no other items for discussion, motion was made by Robert DeVellis, seconded by Wallace Williams, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.



Margaret Anahia, Recording Secretary